

REMARKS

Claims 26-41 are pending in this application. By this Amendment, claims 1-25 are canceled without prejudice to or disclaimer of the subject matter therein, the specification is amended, and claims 26-41 are added. No new matter is added.

The courtesies extended to Applicants' representatives by Examiner Cosimano at the interview held July 12, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

I. Formal Matters-Priority

In the Office Action, it is alleged that Applicant has not completed formalities to receive benefit of Applicants' earlier Application No. 60/239,894. Applicants respectfully disagree.

As discussed during an April 25 telephone conference with Examiner Cosimano, it was pointed out that an Application Data Sheet was filed with the application properly claiming priority. This is supported by the Official Filing Receipt that properly reflects the priority information.

Upon further review of the file, Examiner Cosimano confirmed that the Application Data Sheet was in the file and the priority claim was thus properly made.

As requested, page 1 of the specification is amended to add the priority information. As all formalities have been met, withdrawal of the objection is respectfully requested.

II. Formal Matters

In the Office Action, the drawings are objected to. In particular, features of claims 8 and 16 were requested to be shown in the drawings. Because claims 8 and 16 are canceled, this objection is moot, as agreed during the personal interview. Withdrawal of the objection is respectfully requested.

In the Office Action, the disclosure is objected to for lacking antecedent support for features of claims 8 and 16. Because claims 8 and 16 are canceled, this objection is moot, as agreed during the interview. Withdrawal of the objection is respectfully requested.

In the Office Action, claims 8 and 16 are rejected under 35 U.S.C. §112, second paragraph. Because claims 8 and 16 are canceled, this objection is moot, as agreed during the interview. Withdrawal of the objection is respectfully requested.

III. Pending Claims Define Patentable Subject Matter

In the Office Action, claims 1, 2, 5, 6, 8, 9, 11-15, and 17-21 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 5,422,821 to Allen et al. or European Patent Publication No. EP 0710930 to Pintsov. Additionally, claims 1, 2, 5, 6, 8, 9, 11-15, and 17-21 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,549,892 to Sansone. Claims 3, 4, 22 and 23 are rejected under 35 U.S.C. §103(a) over Allen, Pintsov or Sansone further in view of In re Japikse. Claims 7 and 24 are rejected under 35 U.S.C. §103(a) over Allen or Pintsov or Sansone further in view of substitution of equivalent devices. Claim 25 is rejected under 35 U.S.C. §103(a) over Allen or Pintsov or Sansone. These rejections are rendered moot by cancellation of these claims in favor of new claims 26-41. Claims 26-41 correspond to the claims proposed during the July 12 interview, and have been amended to address the Examiner's remaining §112 concerns.

As discussed during the July 12 personal interview, the applied reference to Sansone is directed to a mail handling system concerned with undeliverable mail and provides an electronic change of address system to deliver packages to a recipient's current address. This does nothing more than determine where recipient mail goes based on a change of address card. Pintsov is directed to a mail tracking system that creates a code for each mail piece, not a unique code for a subscriber account associated with an informational data set having processing instructions. Allen is directed to a zip+4 zip code delivery system and has no

unique code or informational dataset. All of these references are based on the existing legacy mail system and are concerned with a delivery location corresponding to a recipient's current address, but do not appreciate problems faced by persons or entities that want more control over the delivery or processing of the mail/parcel.

As discussed during the July 12 personal interview, claims 26-41 provide an apparatus and method that assign a unique and dynamic code to a subscriber and allow the subscriber to dynamically control the processing of the mail/parcel at one or more processing facilities. This is achieved through stored and dynamically changeable informational datasets that include delivery or handling instructions. This control of the processing enables the subscriber to control not only the final destination location, but also, for example, the route of travel (path the mail/parcel takes), how the mail/parcel will arrive (courier or post, etc.), and when it arrives (hold for pickup, send by express courier, etc.).

These informational datasets that are queried may be globally applied to all mail/parcels provided with the subscriber's unique code, or may have special instructions on an individual package basis (claims 36 and 41).

During the interview, Examiner Cosimano agreed, subject to further review and an updated search, that these claims distinguish over the prior art. Based on this, Applicants believe that claims 26-41 are allowable.

During the interview, Examiner Cosimano brought to Applicants' attention U.S. Patent No. 5,648,916 to Manduley. Applicants request that Examiner Cosimano fully consider this reference and cite it in a PTO-892 in the next Patent Office communication.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 26-41 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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